

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

STUDENTS FOR FAIR ADMISSIONS,
INC.

Plaintiff,

v.

UNIVERSITY OF TEXAS AT AUSTIN,
ET AL.,

Defendants.

§
§
§
§
§
§
§
§

Civil Action No. 1:20-cv-00763-RP

JOINT NOTICE OF PROPOSED SCHEDULING ORDERS

Pursuant to Local Rule 16(c), Plaintiff and Defendants hereby file this Joint Notice of Proposed Scheduling Orders. The parties agree on the issues outlined in their proposed scheduling orders, *see* Exhibits A and B, except in one significant respect. Plaintiff contends that discovery should be available to both parties immediately. Defendants contend that discovery should be conducted in phases, with the first phase directed solely to the issues of Plaintiff's standing and Defendants' res judicata defense; in the second phase—beginning on July 1, 2021 (or the date the Court resolves Defendants' motions on these issues, if earlier)—discovery would be available on all claims and defenses. The parties' competing scheduling order proposals (which are identical except as to Defendants' paragraph 5) reflect their respective positions, and the parties have agreed to submit short statements setting forth the detailed basis for their positions.

Respectfully Submitted,

/s/ J. Michael Connolly

William S. Consovoy (*pro hac vice*)
J. Michael Connolly
Cameron T. Norris
Steven C. Begakis (*pro hac vice*)
CONSOVOY MCCARTHY PLLC
1600 Wilson Blvd., Suite 700
Arlington, VA 22209
(703) 243-9423
will@consovoymccarthy.com
mike@consovoymccarthy.com
cam@consovoymccarthy.com
steven@consovoymccarthy.com

Counsel for Plaintiff Students for Fair Admissions, Inc.

GRAVES DOUGHERTY, HEARON & MOODY, P.C.
401 Congress Avenue, Suite 2700
Austin, Texas 78701
(512) 480-5725 (phone)
(512) 539-9938 (fax)

By: /s/ Matthew C. Powers
John J. McKetta, III
Texas State Bar No. 13711500
mmcketta@gdhm.com
Matthew C. Powers
Texas State Bar No. 24046650
mpowers@gdhm.com
William Christian
State Bar No. 00793505
wchristian@gdhm.com
Marianne W. Nitsch
Texas State Bar No. 24098182
mnitsch@gdhm.com

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing has been served on the counsel of record shown below on this the 15th day of December, 2020:

William S. Consovoy
J. Michael Connolly
Cameron T. Norris
Steven C. Begakis
CONSOVOY MCCARTHY PLLC
1600 Wilson Boulevard, Suite 700
Arlington, Virginia 22209
will@consovoymccarthy.com
mike@consovoymccarthy.com
cam@consovoymccarthy.com
steven@consovoymccarthy.com

/s/ Matthew C. Powers
Matthew C. Powers